

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

OP.No. 24354 of 2002(Y)

PETITIONER:

M.V.JITHESH, S/O. BHASKARAN,
SUBHA NIVAS, PALAYADU, THALASSERY.

BY ADV. SRIZAKEER HUSSAIN
SRI.ANIL XAVIER

RESPONDENTS:

1. BRANCH MANAGER,
SYNDICATE BANK, DHARMADAM BRANCH, THALASSERY.
2. THE TAHSILDAR (R.R),
THALASSERY.
3. THE VILLAGE OFFICER,
DHARMADAM VILLAGE, THALASSERY DISTRICT.

R2&3 BY G.P. SMT.SMITHA SUKUMARAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 27/11/2007, THE COURT ON 27/11/2007 DELIVERED THE
FOLLOWING:

ORDER ON CMP NO.41254/2002 IN OP NO.24354/2002

DISMISSED:

27.11.2007

SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF REGISTRATION CERTIFICATE SHOWING THE HIRE PURCHASE OF VEHICLE.

P2: TRUE COPY OF NOTICE DT.2.4.2002.

P3: TRUE COPY OF DEMAND NOTICE DT.16.7.2002.

TRUE COPY

PA TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

.....
O.P. No.24354 of 2002
.....

Dated this the 27th day of November, 2007.

JUDGMENT

The O.P. is filed challenging recovery proceedings for recovery of loan availed by the petitioner from first respondent. The O.P. is pending for the last five years and this court had only granted conditional order of stay on payment of Rs.25,000/-. It is not known whether the petitioner has made payment and settled the liability. In any case if liability subsists, it is for the petitioner to approach the Bank offering payment within a reasonable time so that the Bank will grant incentives under the OTS scheme. There will be direction to the Bank to grant OTS benefit, if payment is made within a reasonable time. However, if payment is not made within the time granted by the Bank, second respondent will recover the arrears after expiry of time granted by the Bank.

C.N.RAMACHANDRAN NAIR
Judge

pms